

Practitioner's Docket No. 2605/103



#6 D.A.C.
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Toshio Miyata

Application No.: 10/069,439

Group No.: 1641

International Filing Date: 18 August 2000

Examiner: Not Yet Assigned

For: MEG-1 PROTEIN

Commissioner for Patents
Washington, D.C. 20231

REQUEST THAT ERRONEOUS ESTABLISHMENT OF STATUS
AS SMALL ENTITY BE EXCUSED
(37 C.F.R. § 1.28(c))

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OFFICE OF PETITIONS

FILING OF SMALL ENTITY STATEMENT

1. On February 14, 2002, a small entity assertion was filed in this application.
2. On October 25, 2002, applicant has now discovered that such status as a small entity was, in good faith, established in error.
3. Applicant hereby notifies the Office that it is not entitled to status as a small entity.
4. A \$919.00 fee has been paid by the applicant in this application as a small entity.
5. Applicant submits a check in the amount of \$919.00 to cover the filing fees for a large entity.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Washington D.C. 20231

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

☒ with sufficient postage as first class mail.

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Signature

Morton Chimnomas

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

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Request that Erroneous Establishment of Status As Small Entity Be Excused--page 1 of 2

Date: December 3, 2002



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